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Trustee for the SIPA Liquidation of Lehman Brothers Inc.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

|   |   |
|---|---|
| -----X  |   |
| <b>In re</b>                                  | : |
|   | : |
| <b>LEHMAN BROTHERS HOLDINGS INC., et al.,</b> | : |
|   | : |
| <b>Debtors.</b>                               | : |
| -----X  |   |
|   | : |
| <b>In re</b>                                  | : |
|   | : |
| <b>LEHMAN BROTHERS INC.,</b>                  | : |
|   | : |
| <b>Debtor.</b>                                | : |
| -----X  |   |

**Chapter 11 Case No.**

**08-13555 (JMP)**

**(Jointly Administered)**

**Case No.**

**08-01420 (JMP) (SIPA)**

**NOTICE OF AGENDA FOR EVIDENTIARY HEARING ON  
RULE 60(b) AND RELATED MOTIONS AND ADVERSARY  
PROCEEDINGS SCHEDULED FOR APRIL 26, 2010 AT 9:30 A.M.**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,  
Alexander Hamilton U.S. Custom House, before the Honorable, James  
M. Peck, United States Bankruptcy Judge, **Room 601**, One Bowling  
Green, New York, NY 10004-1408

**I. DISCOVERY MATTERS:**

1. Motion by Barclays Capital Inc. for an Order Compelling Documents from LBHI, the Trustee, the Creditors' Committee and their Financial Advisors Deloitte, FTI, Alvarez & Marsal, and Houlihan Lokey [**Case No. 08-13555, Docket No. 8331**]

Response Deadline: April 23, 2010 at 4:00 p.m.

Responses Received:

- A. Objection of Official Committee of Unsecured Creditors of LBHI et al. to the Motion [**Case No. 08-13555, Docket No. 8568; Case No. 08-1420, Docket No. 3175**]
- B. Debtor's Brief in Opposition of the Motion [**Case No. 08-13555, Docket No. 8569; Case No. 08-1420, Docket No. 3176**]
- C. Objection of the Trustee to the Motion [**Case No. 08-13555, Docket Nos. 8623, 8624; Case No. 08-1420, Docket Nos. 3185, 3186**]

Related Documents: None.

Status: This matter is going forward.

**II. STATEMENTS FROM THIRD PARTIES ON RULE 60(b) AND RELATED  
MOTIONS AND ADVERSARY PROCEEDINGS:**

1. Statement of the Securities Investor Protection Corporation in Support of Trustee's Motion for Relief Pursuant to the Sale Orders or, Alternatively, For Certain Limited Relief Under Rule 60(b) [**Case No. 08-1420, Docket No. 2989**]
2. Objection of HWA 555 Owners, LLC to the Motions of Lehman Brothers Holdings Inc., James W. Giddens as Trustee for Lehman Brothers Inc., and the Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc. to Modify the September 20, 2008 Sale Order and for Other Relief [**Case No. 08-13555, Docket No. 5419; Case No. 08-01420, Docket No. 1911**]

3. Objection of SunGard Entities to the Motion of the Trustee for Relief Pursuant to Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b) and Reservation of Rights [**Case No. 08-01420, Docket No. 1917**]
4. Motion of Evergreen Solar, Inc. to Join to Motion of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc. [**Case No. 08-13555, Docket No. 5422; Case No. 08-01420, Docket No. 1914**]
5. Statement of the Bank of New York Mellon Trust Company in Support of the Motions for (I) an Order Modifying the September 20, 2008 Sale Order and Granting Other Relief and (II) to Unseal Motions for Relief from September 20, 2008 Sale Order (and Related SIPA Sale Order) [**Case No. 08-13555, Docket No. 5424**]
6. Objection of SunGard Entities to (1) the Motion of the Debtors for an Order Modifying the September 20, 2008 Sale Order and Granting Other Relief and (2) the Motion of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc. [**Case No. 08-13555, Docket No. 5426**]
7. Joint Statement And Reservation Of Rights Of The Bank Of Tokyo-Mitsubishi UFJ, Ltd. And Lloyds TSB Bank, plc In Connection With (I) Motions Of Lehman Brothers Holdings, Inc., The Official Committee Of Unsecured Creditors, And James W. Giddens, As Trustee For Lehman Brothers, Inc., For Certain Relief Pursuant To The September 20, 2008 Sale Orders; And (II) Motion Of Barclays Capital Inc. To Enforce The Sale Orders And Secure Delivery Of Undelivered Assets [**Case No. 08-13555, Docket No. 7165; Case No. 08-1420, Docket No. 2679**]
8. Australia & New Zealand Banking Group LTD's Letter Regarding Rule 60 Proceedings [**Adv. No. 08-1789, Docket No. 33**]
9. LibertyView's: (A) Joinder to (i) the SIPA Trustee's Motion, (ii) the Committee's Motion, and (iii) LBHI's Motion for Relief from the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b); and (B) Objection to Barclays Capital Inc's Motion to Enforce the Sale Order [**Case No. 08-13555, Docket No. 7417; Case No. 08-01420, Docket No. 2775**]
10. Joinder of Newport Global Opportunities to LibertyView's: (A) Joinder to (I) the Trustees' Motion, (II) the Committee's Motion and (III) LBHI's Motion for Relief from the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b); and (B) Objection to Barclays Capital Inc.'s Motion to Enforce the Sale Order [**Case No. 08-13555, Docket No. 7419; Case No. 08-01420, Docket No. 2778**]

Status: Parties who have filed pleadings related to these proceedings will have an opportunity to address the Court at this time.

**III. EVIDENTIARY HEARING ON RULE 60(b) AND RELATED MOTIONS AND ADVERSARY PROCEEDINGS:**

1. Motion of Debtor to Modify the September 20, 2008 Sale Order and Granting Other Relief [**Case No. 08-13555, Docket No. 5148**]
2. Motion of the Trustee for Relief Pursuant to the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b) [**Case No. 08-01420, Docket No. 1682**]
3. Motion of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., Authorizing and Approving (A) Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases, Dated September 20, 2008 (and Related SIPA Sale Order) and Joinder in Debtors and SIPA Trustees' Motions for an Order Under Rule 60(b) to Modify Sale Order [**Case No. 08-13555, Docket No. 5169; Case No. 08-01420, Docket No. 1686**]
4. Motion of Barclays Capital Inc. to Enforce the Sale Order and Secure Delivery of All Undelivered Assets [**Case No. 08-13555, Docket No. 6814; Case No. 08-1420, Docket No. 2581**]
5. Trustee's Adversary Complaint [**Adv. No. 09-01732, Docket No. 1**]
6. LBHI's Adversary Complaint [**Adv. No. 09-01731, Docket No. 1**]
7. Creditors' Committee Complaint for Declaratory Relief Pursuant to 11 U.S.C. § 105(a) and 28 U.S.C. §§ 2201, 2202 and for an Accounting [**Adv. No. 09-01733, Docket No. 1**]

**Responses and Related Documents Filed by Parties to the Litigation:**

1. Statement of the Trustee for Joinder in Debtor's Motion [**Case No. 08-13555, Docket No. 5173**]
2. Motion of Lehman Brothers Holdings Inc. Modifying the SIPA Sale Order and Joinder in the Committee's Motion for Relief from SIPA Sale Order [**Case No. 08-01420, Docket No. 1702**]
3. Stipulation and Order Between the Debtors, Trustee, Committee and Barclays Capital Inc. Concerning Certain Claims Made in Adversary Complaints Filed by LBHI, SIPA Trustee and Creditors Committee [**Adv No. 09-1732, Docket No. 5**]
4. Memorandum of Barclays Capital Inc. in Opposition to the Rule 60 Motions and in Support of Motion of Barclays Capital Inc. to Enforce the Sale Order and Secure Delivery of All Undelivered Assets [**Case No. 08-13555, Docket No. 6815; Case No. 08-01420, Docket No. 2582**]

5. Debtors' Reply Brief in Further Support of Its Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief and in Opposition to Barclays' Motion to Enforce the Sale Order and Secure Delivery of All Undelivered Assets [**Case No. 08-13555, Docket No. 7641; Case No. 08-01420, Docket No. 2843**]
6. Trustee's Memorandum in Further Support of His Motion for Relief Pursuant to the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b) and in Opposition to the Motion of Barclays Capital Inc. to Enforce the Sale Orders and Secure Delivery of All Undelivered Assets [**Case No. 08-01420, Docket No. 2847**]
7. Memorandum of Law of Official Committee of Unsecured Creditors of LBHI, et al., (I) In Opposition to Motion of Barclays Capital Inc. to Enforce Sale Order and Secure Delivery of All Undelivered Assets and (II) In Further Support of Its Motion, Pursuant to 11 U.S.C. Section 105(A), Fed. R. Civ. P. 60(B), and Fed. R. Bankr. P. 9024, for Relief From Order Under 11 U.S.C. Sections 105(A), 363, and 365 and Federal Rules of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (a) Sale of Purchased Assets Free and Clear of Liens and Other Interests and (b) Assumption and Assignment of Executory Contracts and Unexpired Leases, Dated September 20, 2008 (and Related SIPA Sale Order) [**Case No. 08-13555, Docket No. 7667; Case No. 08-01420, Docket No. 2857**]
8. Memorandum of Barclays Capital Inc. in Opposition to Debtors' Motion in Limine [**Case No. 08-13555, Docket No. 7992; Case No. 08-01420, Docket Nos. 2943, 2945**]
9. Barclays Capital Inc.'s Reply Brief in Further Support of its Motion to Enforce the Sale Order and Secure Delivery of All Undelivered Assets [**Case No. 08-13555, Docket No. 8076; Case No. 08-1420, Docket No. 2996**]

Status: These matters are going forward.

Dated: April 23, 2010  
New York, New York

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